

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-12253MLW

STEVEN McDERMOTT,  
Plaintiff,

vs.

FEDERAL EXPRESS CORPORATION,  
Defendant

**PLAINTIFF'S MOTION FOR LEAVE TO FILE THE FIRST AMENDED COMPLAINT**

Now comes the Plaintiff, Steven McDermott ("McDermott") and respectfully requests leave to file his proposed First Amended Complaint attached hereto as Exhibit "A".

I

Plaintiff McDermott seeks to add Stacey McDermott as a Plaintiff alleging a loss of consortium claim, specifically loss of service, society, and conjugal affection arising from the injuries sustained by McDermott.

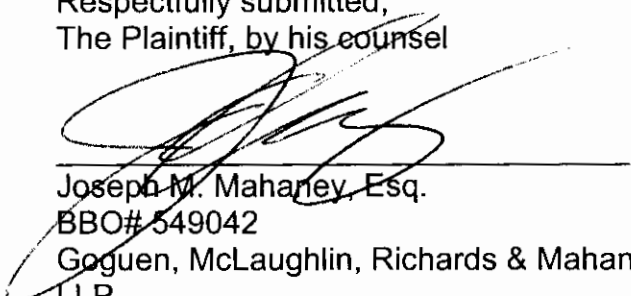
II

Plaintiff McDermott seeks to add T.S. Pruitt as a Defendant as he was the driver of the vehicle owned by Defendant FedEx Ground Systems, Inc. T.S. Pruitt is identified in the original complaint as the operator of the vehicle that collided with Plaintiff. He is a necessary party and the individual responsible for the injuries sustained by McDermott.

III

Plaintiff McDermott seeks to amend the name of the Defendant from Federal Express Corporation to FedEx Ground Systems, Inc., pursuant to the Corporate Disclosure Statement filed by the Defendant in his answer to the complaint. A Memorandum Of Law In Support of Plaintiff's Motion For Leave to File First Amended Complaint is attached hereto.

Respectfully submitted,  
The Plaintiff, by his counsel



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dated: July 25, 2005

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